

REMARKS

Claims 1-37 and 40-44 are pending in the application after this amendment. Applicant submits amendments of formal matters in claims 1 and 4 that do not change the scope thereof and therefore should be correctable by the Examiner as an examiner's amendment. In the alternative, applicant would like these amendments considered as an amendment under 37 CFR 1.312.

Claims 1 and 4 have been amended. Claim 1 has been amended to correct a lower case "c" that should have been an upper case "C" to be consistent with the upper case "A" and "B" that proceed it. Claim 4 has been amended because of a formatting error in the most recent amendment. Specifically, in the January 17, 2005 Amendment, the equal sign ("=") was moved to the left side of the H_1 equation and the "-1" on the right side of the H_2 equation was split on two lines. In the originally submitted claim 4 the equal sign ("=") correctly followed " H_1 " and the "-1" was on a single line. The correct text is as follows:

$$H_1 = \begin{bmatrix} 1 & 0 \\ 0 & -1 \end{bmatrix} \quad H_2 = \begin{bmatrix} 0 & 1 \\ -1 & 0 \end{bmatrix}.$$

It is applicant's understanding that after the Notice of Allowance has been mailed, the application is technically no longer under the jurisdiction of the primary examiner. The Examiner, however, may make examiner's amendments (see MPEP § 1302.04) and has authority to enter amendments submitted after Notice of Allowance of an application which embody merely the correction of formal matters in the specification or drawing, *or formal matters in a claim without changing the scope thereof*, or the cancellation of claims from the application, without forwarding to the supervisory patent examiner for approval. Applicant believes that the amendments submitted herewith fall within the category of "formal matters in a claim without changing the scope thereof" and therefore should be correctable by the Examiner as an examiner's amendment.

Applicant understands that no amendment may be made as a matter of right in an application after the mailing of the notice of allowance. However, if this


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amendment cannot be corrected by the primary Examiner, applicant would like this amendment considered an amendment filed pursuant to 37 CFR 1.312 as it is being filed concurrently with the payment of the issue fee. It is applicant's understanding that such an amendment may be entered without withdrawing the application from issue on the recommendation of the primary examiner subject to approval by the Director.

Reconsideration of the claims is respectfully requested in view of the above amendments and remarks, and early notice of allowance thereof is earnestly solicited.

Please charge Deposit Account No. 50-2115 for any additional fees which may be required.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Karen Oster", is written over a horizontal line.

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